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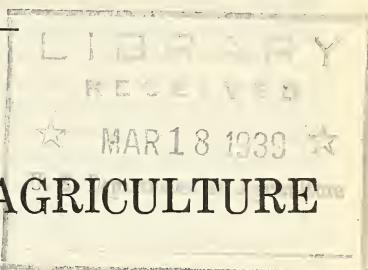
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REPORT OF THE MIGRATORY BIRD COMMISSION, 1937

LETTER

FROM



THE SECRETARY OF AGRICULTURE

TRANSMITTING

A REPORT OF THE MIGRATORY BIRD CONSERVATION COMMISSION  
FOR THE FISCAL YEAR ENDED JUNE 30, 1937

FEBRUARY 21, 1938.—Referred to the Committee on Agriculture and ordered  
to be printed

MIGRATORY BIRD CONSERVATION COMMISSION,  
Washington, D. C., February 19, 1938.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In accordance with the provisions of section 3 of the act of Congress approved February 18, 1929 (45 Stat. 1222; U. S. Code, Supp., ch. 7a), I present herewith report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1937.

Respectfully,

H. A. WALLACE,  
Secretary of Agriculture,  
Chairman of the Migratory Bird Conservation Commission.

REPORT OF THE MIGRATORY BIRD CONSERVATION COMMISSION FOR  
THE FISCAL YEAR 1937

During the fiscal year 1937 the impetus in refuge land acquisition that had prevailed since 1934 slowed down somewhat, primarily because of the great reduction in funds furnished the Biological Survey to carry forward the work. Selective buying was continued, however, directed in the main toward the acquisition of numerous small tracts that the Bureau found necessary to facilitate the administration of the refuges within which situated or because of modifications in development plans for constructing water-impoundment dikes, digging ditches for conveying water, constructing roads, and fencing. As a large

percentage of such tracts could not be obtained at prices deemed to be equitable after appraisals had been made, recourse was had, with the approval of the Migratory Bird Conservation Commission, to judicial proceedings. Nevertheless, during the fiscal year 1937 five migratory waterfowl refuges were acquired with the approval of the Commission. These were the Aransas, Tex., Back Bay, Va., Willamette, Oreg., Montezuma, N. Y., and Union Slough, Iowa, refuges, and within them 54,498 acres, or 99 percent of the total lands desired, were taken under agreements of purchase at prices approved by the Commission.

Two outstanding aspects in this governmental program of land purchases for national wildlife refuges distinguish it from those of other Federal agencies engaged in similar extensive programs—with the possible exception of the War Department, which is engaged in river-and-harbor improvement work—and make it necessary in most cases to deal in a seller's market or to resort to arbitrary condemnation: (1) The areas desired for refuge purposes are highly selective for the reason that they must be strategically situated in the flight lanes of migratory waterfowl and have natural attractions for the birds. This brings the acquisition program into active competition with gunning clubs or other groups that may be interested in preserving such places for their own uses, or in conflict with local sentiment that opposes the establishment of inviolate sanctuaries at places that have been used for many years as favorite hunting grounds. (2) The Biological Survey deems it administratively necessary that all the lands desired for a refuge be acquired at one time. Otherwise a refuge could not be made effective for the complete protection of wildlife, inasmuch as the various species are accustomed to move from place to place within their natural environment, and a privately owned hunting tract in the midst of an inviolate sanctuary would nullify the effectiveness of the refuge. It is therefore an administrative requirement that the conveyances of lands from private owners to the United States be made as rapidly as possible in order to expedite their administration.

#### ACQUISITIONS IN OTHER YEARS

As a matter of convenience to those who receive the annual reports of the Migratory Bird Conservation Commission, it appears appropriate each year to review in narrative form what has been accomplished toward the establishment of national wildlife refuges under the provisions of the Migratory Bird Conservation Act and of other acts that have the same objective.

Prior to the fiscal year 1935 only 122,594 acres of privately owned land had been bought for refuges under the provisions of the Migratory Bird Conservation Act, because up to that time the appropriations with which to make purchases were relatively small and the facilities were too meager for investigating prospective areas of the public domain to find suitable lands. In addition, it was generally known that there were comparatively few areas remaining within the public domain that were worth the effort necessary to have them set aside for refuge purposes, and the financial means to administer any such places that might have been selected were not available.

Prior to the fiscal year 1935 also there had been acquired by Executive order and purchase 140,731 acres under the special act of Congress entitled "An act to establish the upper Mississippi River Wild-

life and Fish Refuge," by which provision was made for the acquisition of nearly 185,000 acres of bottom lands along the Mississippi River from the foot of Lake Pepin, Minn., to Rock Island, Ill., a total length, as the river meanders, of 284 miles.

The establishment of the Bear River Migratory Bird Refuge, Utah, was another outstanding accomplishment prior to the fiscal year 1935. It was provided for by an act of Congress passed in 1928, known as "An act to establish the Bear River Migratory Bird Refuge," under the provisions of which 23,621 acres of privately owned lands were acquired or are now in process of acquisition. Within the area 25,517 acres of public domain were set aside by Executive order.

These acquisitions, together with some of smaller extent, aggregated 1,215,238 acres, of which some 900,000 acres were set aside by Executive order and the remainder purchased at approximately \$628,000, from the time the Biological Survey acquired its first refuge—the Pelican Island Bird Reservation, Fla., containing 3 acres, by Executive order of President Theodore Roosevelt, dated May 14, 1903—until the beginning of the fiscal year 1935.

During the fiscal year 1935, in which a substantial sum was made available to the Biological Survey from emergency funds, 710,136 acres of land embraced within 38 refuges were taken under contracts of purchase, involving payments of \$5,563,087 to about 2,000 land-owners.

During the fiscal year 1936, also with emergency funds, contracts of purchase were entered into with another large group of private landowners for the acquisition of 197,318 acres for refuges, at a cost of \$985,385. In addition, 727,900 acres were taken under contracts of purchase with private landowners at an aggregate cost of \$3,982,579. These tracts were approved by the Migratory Bird Conservation Commission, and the acquisitions were made under its purview, since the funds used were made available especially for that purpose by the act of June 15, 1935, under title VII (continuance of appropriations of the act of March 16, 1934). This act appropriated \$6,000,000 for the acquisition of lands for the restoration, rehabilitation, and protection of migratory waterfowl and other wildlife and for the erection and construction thereon, in connection therewith, of buildings, dikes, dams, canals, and other necessary works. Most of the purchases made under title VII were for the consolidation of lands on refuges the acquisition of which had been initiated with emergency funds. In addition to the policy of consolidation, however, 15 new refuges were acquired in the fiscal year 1936.

During the 3 years since the enactment of the Migratory Bird Hunting Stamp Act of March 16, 1934, proceeds deposited in the Treasury have aggregated only \$1,676,787. None of this fund has been expended for the purchase of new lands, but most of it has gone for the development and administration of refuges acquired with other funds.

From July 1, 1929, the date on which the Migratory Bird Conservation Act became effective, up to the present, 6,232,212 acres embraced within 217 prospective refuges throughout the United States have been examined and appraised; 107 refuges in whole or in part have been acquired by purchase and under Executive order, with an aggregate area of 6,692,781 acres; and more than 14,052 miles of boundary and auxiliary lines have been surveyed and the boundaries

permanently monumented and posted, thus making possible the erection of fences on refuges acquired and otherwise facilitating administration.

#### FUNDS AVAILABLE

The amounts authorized by Congress for acquisition of lands under the Migratory Bird Conservation Act of February 18, 1929, and the funds appropriated for the fiscal years 1930-37 are shown in table 1.

TABLE 1.—*Funds authorized and appropriated for migratory-bird refuges under the Migratory Bird Conservation Act, fiscal years 1930-37*

Fiscal year	Author- ized	Appropri- ated	Fiscal year	Author- ized	Appropri- ated
1930.....	\$75,000	\$75,000	1935.....	\$1,000,000	\$65,015
1931.....	200,000	200,000	1936.....	1,000,000	67,500
1932.....	600,000	400,000	1937.....	1,000,000	79,753
1933.....	1,000,000	318,000	Total.....	5,875,000	1,294,793
1934.....	1,000,000	89,525			

The difference between the totals shows an unappropriated authorization of \$4,580,207 through the fiscal year 1937. It should be noted, however, that the funds made available under title VII of the act of June 15, 1935, were for the general purposes provided for under the provisions of this act.

The fiscal year 1937 was unlike the 3 preceding years, in that no additional funds were made available for refuge land acquisition. It was possible, however, to continue the program to the extent of rounding out and filling in existing refuges with funds remaining in the \$6,000,000 appropriation provided under title VII of the act of June 15, 1935. Also the termination of cases as the result of judicial proceedings released funds for payment that had been deposited in the courts in previous years.

#### Summary of accomplishments

Acres approved for purchase to June 30, 1933.....	139,608.29
Average cost per acre.....	\$4.57
Acres approved for purchase, July 1, 1933, to date.....	692,057.96
Average cost per acre.....	\$5.03
Acres approved for purchase by the Federal Emergency Relief Ad- ministration and the Resettlement Administration (Farm Secu- rity Administration).....	723,880.00
Average cost per acre.....	\$7.81
Acres approved for purchase under other emergency funds.....	219,948.00
Average cost per acre.....	\$5.78
Number of acres acquired under Executive orders to June 30, 1933.....	2,081,813.84
Number of acres acquired under Executive orders, July 1, 1933, to date.....	4,080,719.20
Number of existing refuges prior to June 30, 1933.....	102
Number of existing refuges on June 30, 1937 <sup>1</sup> .....	177
Total acreage for refuges.....	7,938,027.29

<sup>1</sup> Exclusive of easement refuges in North Dakota, South Dakota, and Montana.

#### SUMMARY OF REFUGE PROGRAM

The following tables (2 and 3) set forth in detail the accomplishments in the acquisition of wildlife refuges under the provisions of the Migratory Bird Conservation Act and through the means provided by emergency appropriations:

TABLE 2.—*Lands for refuges acquired and in process of acquisition under the Migratory Bird Conservation Act program through June 30, 1937*

State and county	Refuge	Fiscal year 1937				Acquired in previous years beginning Feb. 18, 1929	
		Acquired by purchase	Pending title conveyance	Total	Acquired other than by purchase	Total	By purchase
		Acres	Acres	Acres	Acres	Acres	Acres
Arizona: Mohave.	Boulder Canyon (see also Nevada)						
Arkansas: Arkansas, Desha, Monroe, Phillips.	White River.						
California: Imperial.							
Modoc and Siskiyou.	Salton Sea.						
Delaware:	Tule Lake.						
Kent.	Bombay Hook.	5,120	6,886	12,006		12,006	8,982
Newcastle.	Killehook (see also New Jersey).						
Florida: Levy.	Cedar Keys.						
Hernando.	Chinsegut Hill.	2,356	7,199	9,555		9,555	1,224
Jefferson, Taylor, and Wakulla.	St. Marks.						2,033
Georgia: Charlton, Clinch, and Ware.	Okefenokee.	288,417	4,451	292,868	2	292,870	1,15,926
Chatham.	Savannah River (see also South Carolina).	944		944		944	
McIntosh.	Wolf Island.						
Idaho: Jefferson.	Camas.	1,516	8,671	10,187		10,187	
Canyon.	Deer Flat.		73	73			
Blaine, Cassia, Minidoka, and Power.	Minidoka.						
Bannock.	Pocatello, U. S. Biological Survey supply depot.	1	1	2		1,12,032	1,13,240
Louisiana: Kossuth.	Union Slough.						
Plaquemines.	Delta.	29,966	4,073	34,039	1,2,927	36,966	1,1,408
Cameron.	Lacassine.	17	8,107	8,124		8,124	
Washington.	Moosehorn.	684	10,609	11,293		11,293	
Knox.	Widows Island.						
Maryland: Dorchester.	Blackwater.						
Anne Arundel and Prince Georges.	Patentent.						
Michigan: Schoolcraft.	Seney.	5,448	39,494	44,942	1,2,633	3,111	
Minnesota: Aitkin.	Rice Lake.	661	1,430	2,091		44,942	1,936
Cottonwood.	Taletot Lake.					2,091	2,80

<sup>1</sup> Set aside by Executive order or proclamation.<sup>2</sup> Gift.<sup>3</sup> Act of Congress.

TABLE 2.—*Lands for refuges acquired and in process of acquisition under the Migratory Bird Conservation Act program through June 30, 1937—Continued*

State and county	Refuge	Fiscal year 1937			Acquired in previous years beginning Feb. 18, 1929		
		Acquired by purchase	Pending title conveyance	Total	Acquired other than by purchase	Total	By purchase
		Acres	Acres	Acres	Acres	Acres	Acres
Minnesota—Continued.							
Becker	Tamarac	15,491	1,840	16,389	16,389	5,049	—
Winona	Upper Mississippi	2,440	—	2,440	—	2,440	—
Missouri: Washington	Yazoo	—	—	—	—	—	—
Missouri: Holt	Sunaw Creek	170	1	171	171	42	—
Montana:	Swan Lake	2,134	3,263	5,397	5,397	—	—
Cascade and Chouteau	Benton Lake	—	—	—	—	—	—
Custer	Fort Keogh	—	—	—	—	—	—
Ferguson	Fort Peck	—	—	—	—	—	—
Phillips	Lake Bowdoin	—	—	—	—	—	—
Phillips	Medicine Lake	—	—	—	—	—	—
Roosevelt and Sheridan	Red Rock	—	—	—	—	—	—
Beaverhead	—	—	—	—	—	—	—
Nebraska:	Crescent Lake	—	—	—	—	—	—
Garden	Niobrara	—	—	—	—	—	—
Cherry	—	—	—	—	—	—	—
Nevada:	Clark	377	377	377	377	40,920	1,173
Humboldt and Washoe	Boulder Canyon (see also Arizona)	—	—	—	—	—	—
Do.	Charles Sheldon	17,984	17,984	17,984	17,984	1,346,443	—
Clark and Lincoln	Charles Sheldon	4	(jointly held)	—	—	1,525,000	—
Nye	Desert	—	(exclusively held)	—	—	1,233,895	—
Elko and White Pine	Railroad Valley	—	—	—	—	1,022,000	—
Pershing and Washoe	Ruby Lake	—	—	—	—	1,135,184	—
New Jersey: Salem	Winnemucca	—	—	—	—	—	—
New Mexico:	Killcohook (see also Delaware)	—	—	—	—	1,015	—
Chaves	Bitter Lake	2,153	7,775	9,928	9,928	320	—
Socorro	Bosque del Apache	52,843	2,928	55,771	55,771	—	—
Sierra and Socorro	Rio Grande	—	—	—	—	—	—
New York:	Montezuma	—	—	—	—	—	—
Seneca	Shinnecock Bay	—	—	—	—	—	—
Suffolk	—	—	—	—	—	—	—
North Carolina:	Lake Mattamuskeet	—	—	—	—	—	—
Hyde	Pea Island	—	—	—	—	—	—
Dare	—	—	—	—	—	—	—
Hyde	Swanquarter	1,539	4,307	5,846	5,846	15,493	1,27,448

1 Set aside by Executive order proclamation

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Note.—Discrepancies in entries and totals in this table and in similar tables reported by the Chief, Bureau of Biological Survey, for the same year, are explained by the recent receipt of more complete data on acreage.

TABLE 3.—*Lands for refuges acquired and in process of acquisition with emergency funds*

State and county	Refuge	Fiscal year 1937			Acquired during fiscal years 1932-36
		Acquired by purchase	Pending title conveyance	Total	
Alaska: Third Judicial Division	Chitina				
Arkansas:	Big Lake	31,656	12,297	43,953	363
Mississippi	White River	10,776		10,776	64,645
Arkansas: Desha, Monroe, and Phillips	Sacramento	9,473	1,180	10,653	
California: Colusa and Glenn	St. Marks			1,492	
Florida: Jefferson, Taylor, and Wakulla	Savannah River (see also South Carolina)			1,492	2,987
Georgia: Chattham	Chautauqua	5	2,203	2,208	2,198
Illinois: Mason					
Louisiana:	Mud Lake	60,216		60,216	
Plaquemines	Rice Lake	436	7,350	7,786	
Cameron	Squaw Creek	1,953	168	2,121	
Do.	Swan Lake	3,610	229	3,839	1,520
Michigan: Schoolcraft	Lake Bowdoin				
Minnesota:	Medicine Lake				
Marshall	National Bison Range				
Aitkin	Red Rock	2,626	7,685	10,311	
Missouri:	Red Rock	11,319	8,879	20,198	
Holt	Crescent Lake	1,847		1,847	
Chariton	Niobrara				
Montana:	Valentine	16,392	8,252	24,644	
Phillips	U. S. Fur Animal Experiment Station	16	16	16	
Roosevelt and Sheridan	Mattamuskeet				
Lake and Sanders	Swanquarter				
Beaverhead	Arrowwood	2,036	1,483	3,519	
Nebraska:	Des Lacs	1,879	1,413	3,292	
Garden	Long Lake	291		291	
Cherry	Long Lake	391		391	
Do.	Lostwood	11,860	2,249	14,109	
New York: Saratoga	Lower Souris	6,655	3,763	10,418	
North Carolina:					
Hyde					
North Dakota:					
Foster and Stutsman					
Burke and Ward					
Walsh					
Burleigh and Kidder					
Long Lake					
Lostwood and Mountain					
Bothneau and McHenry					

Storm Lake	2	2	2
Tewauken	80	1,215	80
Upper Souris	1,136	2,351	27,255
Malheur (Blitzen unit)	3,031	141	64,717
Malheur (Malheur unit)			3,162
Cape Ronain			5,196
Savannah River (see also Georgia)	2,015	756	2,771
Lacreek	4,042	18	4,042
Lake Andes	4,2	319	5,320
Sand Lake	4,401	1,294	5,635
Waubay			13,358
Lake Isom			2,013
Muleshoe	1,402	1,402	20
Day	1,440	3,654	
Tennessee: Lake and Onion	2,214		
Texas: Builey			8,040
Bear River			707
Trempealeau			
Total	201,674	247,545	396,087

NOTE.—Discrepancies in entries and totals in this table and in similar tables reported by the Chief, Bureau of Biological Survey, for the same year, are explained by the recent seeing of more complete data on acreage.



